

Haines Borough
Borough Assembly Meeting #486
AGENDA

April 9, 2024 - 6:30pm

Location: In Assembly Chambers and on ZOOM

The GAS Committee requests that you:
THINK before you speak

T is it True?

H is it Helpful?

I is it Inspiring?

N is it Necessary?

K is it Kind?

Thomas Morphet
Mayor

Natalie Dawson
Assembly Member

Gabe Thomas
Assembly Member

Kevin Forster
Assembly Member

Debra Schnabel
Assembly Member

Ben Aultman-Moore
Assembly Member

Craig Loomis
Assembly Member

Annette Kreitzer
Borough Manager

Alekka Fullerton
Borough Clerk

Kiersten Long
Deputy Clerk

Haines Borough ZOOM information (You must download Zoom first)

Webinar ID: 881 7953 6455

Passcode: 083575

- 1. CALL TO ORDER/PLEDGE TO THE FLAG/ROLL CALL**
- 2. APPROVAL OF AGENDA & CONSENT AGENDA**

[The following Consent Agenda items are indicated by an asterisk () and will be enacted by the motion to approve the agenda. There will be no separate discussion of these items unless an assembly member or other person so requests, in which event the asterisk will be removed and that item will be considered by the assembly on the regular agenda.]*

Consent Agenda:

3 - Approve Minutes from 3/26/24 Regular Assembly Meeting

- *3. APPROVAL OF MINUTES** - Approve the 3/26/24 Regular Assembly minutes
- 4. PUBLIC COMMENTS** – [For any topics not scheduled for public hearing. Individual comments are limited to 3 minutes unless another yields 3 minutes to the speaker in advance] *Note: during this section of the agenda, the assembly will listen and take notes. No official action will be taken at this time.*
- 5. ASSEMBLY COMMENTS**
- 6. MAYOR'S REPORT AND COMMENTS** – Attached.
- 7. PUBLIC HEARINGS**

A. Ordinance 24-02-668

An Ordinance of the Haines Borough Assembly Amending Haines Borough Code Section 3.72.105 Exchange of Information

This Ordinance was postponed from the last meeting - it is eligible for adoption.

Motion: Adopt Ordinance 24-02-668 (If amended, request is made to schedule the Ordinance for an additional public hearing).

B. Ordinance 24-03-670

An Ordinance of the Haines Borough Assembly Amending Haines Borough Code Section 18.40.030 Procedure – Staff decision.

This ordinance is already scheduled for another public hearing April 23, 2024.

- 8. STAFF/FACILITY REPORTS**

A. Borough Manager Report – Supplemental Report

B. Finance Director Report – Property tax History Compared to Inflation

9. COMMITTEE/COMMISSION/BOARD REPORTS & APPROVED MINUTES –

A. Assembly Standing Committee Referred Topics

B. Ports and Harbors Advisory Committee – February 22, 2024 Minutes

C. Parks & Recreation Advisory Committee –February 22, 2024 Minutes

10. UNFINISHED BUSINESS – None

11. NEW BUSINESS

A. Resolutions (Individual comments are limited to 3 minutes unless another yields 3 minutes to the speaker in advance)

1. Resolution 24-04-1107

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to execute a construction contract with Glacier Construction, Inc. dba Southeast Road Builders for the Dalton Street Repairs project for an amount not to exceed \$753,822.00.

Motion: Adopt Resolution 24-04-1107.

B. Ordinances for Introduction

1. Ordinance 24-04-669

An Ordinance of the Haines Borough Assembly Amending Haines Borough Code Defining Ore and Requiring Bulk Ore and Ore Concentrate Shipments through the Haines Borough be Containerized.

This ordinance is being introduced by the Assembly Members Ben Aultman-Moore and Gabe Thomas.

Motion: Introduce Ordinance 24-04-669 and set a first public hearing for 4/23/24 and a second public hearing for 5/14/24.

2. Ordinance 24-04-671

An Ordinance of the Haines Borough Assembly Amending Haines Borough Code Section 3.70.040(F) Local Exemptions and Exclusions-Hardship Exemption.

This ordinance is being introduced by the Mayor.

Motion: Introduce Ordinance 24-04-671 and set a first public hearing for 4/23/24 and a second public hearing for 5/14/24.

3. Ordinance 24-04-672

An Ordinance of the Haines Borough Assembly Amending Haines Borough Code Section 7.08.050 Historic Dalton Trail Road Maintenance Service Area to Provide for Commercial Fees.

This ordinance is being introduced by the Mayor.

Motion: Introduce Ordinance 24-04-672 and set a first public hearing for 4/23/24 and a second public hearing for 5/14/24.

4. Ordinance 24-04-673

An Ordinance of the Haines Borough Assembly Amending Haines Borough Code Section 2.08.060 Meetings of the Assembly to Change Regular Assembly Meeting Time.

This ordinance is being introduced by the Mayor.

Motion: Introduce Ordinance 24-04-673 and set a first public hearing for 4/23/24 and a second public hearing for 5/14/24.

11. NEW BUSINESS

B. Ordinances for Introduction – *Continued*

5. Ordinance 24-04-674

An Ordinance of the Haines Borough Assembly Amending Haines Borough Code Section 2.84.010 Personal Leave Accrual.

This ordinance is being introduced by the Mayor.

Motion: Introduce Ordinance 24-04-674 and set a first public hearing for 4/23/24 and a second public hearing for 5/14/24.

C. Other New Business

1. **Request for Reconsideration: Ordinance 24-02-666**

An Ordinance of the Haines Borough Assembly Repealing and Replacing Haines Borough Code Section 3.72.110 Board of Equalization; Adding Section 3.72.115 Hearing Panels of the Board of Equalization; and Amending 3.72.100 Appeals.

Assembly Members Schnabel and Forster have requested that Ordinance 24-02-666 be reconsidered. HBC 2.10.170 allows an assembly member who voted on the prevailing side (the vote was unanimous) to move for reconsideration at the next succeeding meeting. A motion for reconsideration requires a majority of affirmative votes, and, if it prevails, the subject shall be open to debate and amendment in the same manner as the original question. Debate on the motion to reconsider shall be limited to 25 minutes and no member shall speak for more than five minutes.

2. **Amendment of Previously Adopted Legislation: Resolution 24-03-1105 A Resolution of the Haines Borough Assembly Authorizing a Change Order and Reconciliation for the Professional Design and Engineering Contract with proHNS LLC for the December 2020 Natural Disaster Borough Road Repairs Projects for an amount not to exceed \$85,951.43**

At the last meeting, the Assembly adopted Resolution 24-03-1105 which authorized a change order for additional funds, however, the resolution neglected to extend the time needed to complete the additional work.

Motion: Amend the previously adopted Resolution 24-03-1105 to include and extension of time until December 31, 2025 for completion of the work.

3. **Appeal of Planning Commission Decision – Southeast Road Builders, Conditional Use Permit for Resource Extraction Permit #23-87.**

On 10/23/23, the Haines Borough planning commission approved a conditional use permit (#23-87) for Glacier Construction Inc. dba Southeast Road Builders for a Resource Extraction Permit located at Site A: C-LTR-04-0090/0700/0010, Site B: C-LTR-04-1000/2940/0900/0800 | Waterfront Industrial Zone. The permit was appealed to the Assembly who remanded it to the Planning Commission. On 3/14/24 the Planning Commission vacated the permit. Glacier Construction Inc. dba Southeast Road Builders (SERB) timely filed an appeal. The burden of proof is on SERB to make the case that a rehearing by the assembly is warranted.

Assembly Action Needed at THIS meeting: Per HBC 18.30.060, following the appellant's presentation, the assembly must decide by motion:

- whether or not to rehear the commission's decision and, if so,
- whether to rehear the entire decision or a particular portion.

Note: Any rehearing must take place at the next regularly scheduled assembly meeting and include a duly-noticed public hearing.

11. NEW BUSINESS

C. Other New Business - Continued

4. Appeal of Planning Commission Decision - Southeast Road Builders, Conditional Use Permit for Resource Extraction Permit #23-87B.

On 3/14/24, after vacation of the permit described above, the Haines Borough planning commission considered and denied conditional use permit (#23-87B) for Glacier Construction Inc. dba Southeast Road Builders for a Resource Extraction Permit located at Site B: C-LTR-04-1000/2940/0900/0800 | Waterfront Industrial Zone. Glacier Construction Inc. dba Southeast Road Builders (SERB) timely filed an appeal. The burden of proof is on SERB to make the case that a rehearing by the assembly is warranted.

Assembly Action Needed at THIS meeting: *Per HBC 18.30.060, following the appellant's presentation, the assembly must decide by motion:*

- *whether or not to rehear the commission's decision and, if so,*
- *whether to rehear the entire decision or a particular portion.*

Note: *Any rehearing must take place at the next regularly scheduled assembly meeting and include a duly-noticed public hearing.*

5. PRAC Request for Action: Adoption of RERC

Motion: Adopt the Haines Community Action Plan from the Recreation Economy for Rural Communities.

6. Letter of Support for House Bill 347 – Supplemental Document

12. CORRESPONDENCE

13. SET MEETING DATES

A. Lutak Dock Worksession – May 8

B. Townhall Meeting re Haines Community Safety & Training Center- May 22

14. PUBLIC COMMENT

15. ANNOUNCEMENTS/ASSEMBLY COMMENTS/DIRECTION TO OFFICERS

16. ADJOURNMENT